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Atty. Dkt. No. WEAT/0394

REMARKS

This is intended as a full and complete response to the Office Action dated October 11, 2005, having a shortened statutory period for response set to expire on January 11, 2006. Claims 1-7 and 9-25 are currently pending in the application. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections Under 35 U.S.C. § 102(b)

The Examiner rejected claim 1 as being anticipated by *Rytlewski, et al.* 5,704,426. In response, Applicants have amended claim 1.

As amended, claim 1 includes the limitation of isolating a treated portion of the wellbore from an untreated portion by removing the treatment portion of the selective treatment assembly from the wellbore. *Rytlewski, et al.* does not disclose isolating a treated portion of the wellbore from an untreated portion by removing the treatment portion of the selective treatment assembly from the wellbore. Rather, *Rytlewski, et al.* discloses isolating the treated portion and then removing the treatment apparatus. (See *Rytlewski, et al.*, col. 8, lines 38-41) Furthermore, *Rytlewski, et al.* does not disclose equalizing the pressure between the untreated portion of the wellbore and the surface of the well as recited in claim 1. In contrast, *Rytlewski, et al.* discloses pulling the treatment apparatus from the wellbore and then producing the well. (See *Rytlewski, et al.*, col. 8, lines 41-49) *Rytlewski, et al.* therefore fails to teach each and every limitation of claim 1 and this failure prevents *Rytlewski, et al.* from anticipating claim 1. For these reasons, Applicant submit that claim 1 is in condition for allowance and respectfully request withdrawal of the § 102(b) rejection. Additionally, claims 2-4, 9-11, and 15-17 depend from claim 1, and these claims are allowable for at least the same reasons as claim 1.

Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner rejected claim 18 as being obvious over *Rytlewski* in view of *Baker* 4,372,393. In response, Applicants have amended claim 18.

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As amended, claim 18 includes the limitation of isolating a treated portion of the wellbore from an untreated portion by removing the selective treatment assembly from the treated portion of the wellbore. As discussed above, *Rytlewski, et al.* does not disclose isolating a treated portion of the wellbore from an untreated portion by removing the selective treatment assembly from the treated portion of the wellbore. Similarly, *Baker* does not disclose this limitation.

Moreover, the Examiner has failed to provide a motivation to combine the cited references and therefore has not established a *prima facie* case of obviousness. In fact, the sealing assembly disclosed in *Baker* teaches away from the sealing assembly disclosed in *Rytlewski, et al.* *Baker* discloses a sealing assembly comprising a polished bore receptacle that includes a no-go shoulder "28" that abuts upwardly facing shoulder "18" to prevent continued movement of packoff member "8" down the oil well past casing bore receptacle "6". (See *Baker*, col. 4, lines 64-69) The limitation of restricting the movement of the packoff member down the oil well past casing bore receptacle disclosed in *Baker* makes the receptacle unsuitable for use with the sealing assembly disclosed in *Rytlewski, et al.* because *Rytlewski, et al.* requires that the sealing assembly be engaged by moving upwardly from downhole. (See *Rytlewski, et al.*, col. 8, lines 28-40) Without a motivation to combine, *Rytlewski, et al.* and *Baker* can not render claim 18 obvious.

For the reasons set forth above, the references fail to teach or suggest all the elements recited in claim 18. This failure precludes the combination of *Rytlewski, et al.* and *Baker* from rendering claim 18 obvious. Applicants therefore respectfully request withdrawal of the § 103(a) rejection of claim 18 and allowance of the same. Additionally, claims 19 and 21-24 depend from claim 18 and these claims are allowable for at least the same reasons as claim 18.

Further, claims 5 and 7 depend from claim 1. As set forth above, *Rytlewski, et al.* fails to disclose all the limitations of claim 1. *Baker* does not cure the deficiencies of *Rytlewski, et al.* Therefore, claims 5 and 7 are allowable for at least the same reasons as claim 1.

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The Examiner rejected claims 6 and 20 as being obvious over *Rytlewski* in view of *Baker* as applied to claims 5 and 18 and further in view of *Simpson* 6,457,532. Applicants respectfully traverse the rejection. Claim 6 depends from claim 1 and claim 20 depends from claim 18. As set forth above, *Rytlewski, et al.* and/or *Baker* fail to teach or suggest all the limitations in claims 1 and 18. Similarly, *Simpson* fails to teach or suggest all the limitations of claims 1 and 18. For this reason, neither *Rytlewski, et al.* and/or *Baker* and/or *Simpson* render claims 6 and 20 obvious. Applicants, therefore, submit that claims 6 and 20 are in condition for allowance and respectfully request withdrawal of the § 103(a) rejection.

The Examiner rejected claim 12 as being obvious over *Rytlewski* '426 in view of *Tolman* '184. Applicants respectfully traverse the rejection. Claim 12 depends from claim 1. As set forth above, *Rytlewski, et al.* fails to teach or suggest all the limitations in claim 1. Similarly, *Tolman* fails to teach or suggest all the limitations of claim 1. For this reason, neither *Rytlewski, et al.* and/or *Tolman* render claim 12 obvious. Applicants, therefore, submit that claim 12 is in condition for allowance and respectfully requests withdrawal of the § 103(a) rejection.

The Examiner rejected claims 13-14 as being obvious over *Rytlewski* in view of *Rosenthal* 3,642,064. Claims 13-14 depend from claim 1. As set forth above, *Rytlewski, et al.* fails to teach or suggest all the limitations in claim 1. Similarly, *Rosenthal* fails to teach or suggest all the limitations of claim 1. For this reason, neither *Rytlewski, et al.* and/or *Rosenthal* render claims 13-14 obvious. Applicants, therefore, submit that claims 13-14 are in condition for allowance and respectfully requests withdrawal of the § 103(a) rejection.

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Conclusion

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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